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	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
	09/431,902	11/02/1999	KAZUYUKI OHTSU	FUJY=16.705	9388
		7590 01/24/200 CHIN ROSENMAN LI		EXAMINER FERRIS, DERRICK W ART UNIT PAPER NUMBER	INER
	575 MADISON			FERRIS, DERRICK W	
	NEW YURK, N	EW YORK, NY 10022-2585		ART UNIT	PAPER NUMBER
				2616	
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L	SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE PAPER	
	3 MO	NTHS	01/24/2007		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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	Application No.	Applicant(s)	
	09/431,902	OHTSU ET AL.	
Office Action Summary	Examiner	Art Unit	
	Derrick W. Ferris	2616	
The MAILING DATE of this communication Period for Reply	appears on the cover sheet w	ith the correspondence address	
A SHORTENED STATUTORY PERIOD FOR RE WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFF after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period to reply within the set or extended period for reply will, by stancy reply received by the Office later than three months after the mearned patent term adjustment. See 37 CFR 1.704(b).	G DATE OF THIS COMMUNI R 1.136(a). In no event, however, may a riod will apply and will expire SIX (6) MOR atute, cause the application to become Al	CATION. reply be timely filed ITHS from the mailing date of this communication BANDONED (35 U.S.C. § 133).	
Status			
 Responsive to communication(s) filed on 1/2 This action is FINAL. Since this application is in condition for allo closed in accordance with the practice under the condition of the condition is in condition. 	This action is non-final. wance except for formal mat		s is
Disposition of Claims			
 4) Claim(s) 1-7 is/are pending in the application 4a) Of the above claim(s) is/are without 5) Claim(s) 2-6 is/are allowed. 6) Claim(s) 1,7 and 8 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and 	drawn from consideration.		
Application Papers			
9) The specification is objected to by the Exam 10) The drawing(s) filed on is/are: a) Applicant may not request that any objection to Replacement drawing sheet(s) including the cor 11) The oath or declaration is objected to by the	accepted or b) objected to the drawing(s) be held in abeyand rection is required if the drawing	nce. See 37 CFR 1.85(a). (s) is objected to. See 37 CFR 1.12	
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for fore a) All b) Some * c) None of: 1. Certified copies of the priority documents. Certified copies of the priority documents. Copies of the certified copies of the papplication from the International Bure. * See the attached detailed Office action for a	ents have been received. ents have been received in A priority documents have been reau (PCT Rule 17.2(a)).	pplication No received in this National Stage	
Attachment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	Paper No(Summary (PTO-413) s)/Mail Date nformal Patent Application 	

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DETAILED ACTION

Response to Amendment

- 1. This Office action is in response to applicant's response filed 11/10/2006.
- 2. Claims 1-8 as amended are still in consideration for this application.
- 3. Examiner does not **withdraw** the anticipated rejection to *Oda*. In particular, the transmit-side gateway performs the receiving and selecting step as argued by applicant (i.e., the notification is being sent to the transmit gateway). Specifically, see bottom of column 7 and top of column 8. As such, the notification is processed by the communication channel monitoring unit 121.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 5. Claims 1, 7, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,975,624 B1 to Oda et al. ("Oda").

As to **claim 1**, see e.g., the second embodiment of *Oda* with respect to transmit-side gateway shown e.g., in figure 5a. In particular, note that a circuit switched network is the ingress to the transmitting gateway and the egress is a packet switched network (i.e., IP network) that feeds into another gateway (i.e., the receiver gateway) attached to another circuit switched network. As such, an expansion section and compression sections are taught as part of coding

units 120. A setting is taught e.g., as communication channel monitoring unit 121. A controller and judging section are further taught as a coding system change order unit 124 and call control unit 11. In particular, *Oda* teaches monitoring a communication channel on a circuit switched side using communication channel monitoring unit 121 (i.e., the upstream signal of a call-out side gateway in reference to applicant's specification). Based on the type of detected signal from the circuit switched channel side, the system judges whether to apply another coding scheme to the packet switched network side by using the coding system change order unit 124, see e.g., column 8. In particular, note that the reference teaches that if the communication signal already coded by 64 kbps PCM is input, this signal will be based as is (i.e., when the compression forms coincide no processing takes place).

As to **claim 7**, see similar rejection to claim 1.

As to **claim 8**, see similar rejection to claim 1.

Allowable Subject Matter

6. Claims 2-6 are allowed.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

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final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Derrick W. Ferris whose telephone number is (571) 272-3123.

The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wellington Chin can be reached on (571)272-3134. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Derrick W. Ferris

Examiner

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DERRICK W. FERRIS
PRIMARY PATENT EXAMINER

DWE